

blood; and effective as a treatment, remedy, and cure for loss of vitality; and effective to restore normal metabolism of the cells, and to provide a perfect opsonic index; and effective as a treatment, remedy, and cure for syphilitic ulcerations, varicose ulcerations, and tubercular ulcerations, fistulas, rectal ulcerations, osteo-necrosis, deep abscesses, typhoid fever, enteritis, chronic colitis, and infantile cholera, when, in truth and in fact, it was not.

Misbranding of the article was alleged for the further reason that it contained alcohol, and the label failed to bear a statement of the quantity or proportions of alcohol contained therein.

On December 31, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 on each count.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6855. Adulteration of strawberries in sirup. U. S. * * * v. Wedoit Co., a corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 9197. I. S. No. 12267-m.)

On December 17, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wedoit Co., a corporation, Columbus, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 23, 1917, from the State of Ohio into the State of Missouri, of a quantity of an article, labeled in part "Crusoe Brand Strawberries in Syrup," which was adulterated.

Examination of 4 cans of the article by the Bureau of Chemistry of this department showed all of them to be swells and 20 to 30 cc. of gas escaped from each on puncture without pressure. The berries were soft, disintegrated, and almost colorless.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On June 17, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6856. Adulteration and misbranding of olive oil. U. S. * * * v. John S. Perides. Plea of guilty. Fine, \$90. (F. & D. No. 9201. I. S. No. 1374-p.)

On December 13, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John S. Perides, New York, N. Y., alleging shipment by said defendant, on March 13, 1918, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part "White Horse Brand Olive Oil * * * Lucca Italy * * * importer and Packer J. S. Perides 1 Gallon Net," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to consist almost wholly of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, and that said article was a foreign product, to wit, an olive oil produced at Lucca, in the kingdom of Italy, and that the can contained one gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, was not a foreign product, to wit, an olive oil produced at Lucca, in the kingdom of Italy, and said can did not contain one gallon net of the article, but was a mixture composed in part of cottonseed oil and was a domestic product, to wit, a product manufactured in the United States of America, and said can contained less than one gallon net of the article. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously stated on the outside of the package.

On December 31, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$90.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6857. Misbranding of Green Mountain Herb Tea, Sabine's Indian Vegetable Tea, and Sabine's Indian Vegetable Cough Balsam. U. S. * * * v. Herman C. Lemke and Mary Sabine (A. J. Lemke Medicine Co.). Plea of guilty as to Herman C. Lemke. Fine, \$300. Nolle prosequi entered as to Mary Sabine. (F. & D. No. 9203. I. S. Nos. 10572-p, 10573-p, 10574-p.)

On January 27, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herman C. Lemke and Mary Sabine, co-partners, trading as the A. J. Lemke Medicine Co., Milwaukee, Wis., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 1, 1917, from the State of Wisconsin into the State of Illinois, of quantities of three articles, labeled in part, respectively, "Green Mountain Herb Tea," "Sabine's Indian Vegetable Tea," and "Sabine's Indian Vegetable Cough Balsam," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the Green Mountain Herb Tea and the Indian Vegetable Tea to consist essentially of senna, fennel, elder flowers, anise, triticum, sassafras, American saffron, coriander, licorice root, butternut bark, buckthorn, and Epsom salts, and the Indian Vegetable Cough Balsam to consist essentially of sugar, tar, resins, traces of alkaloids, chloroform, alcohol, and water, flavored with aromatics.

It was alleged in substance in the information that the Green Mountain Herb Tea was misbranded for the reason that certain statements appearing on the packages falsely and fraudulently represented it as a treatment, remedy, and cure for indigestion, liver complaint, dyspepsia, sick headache, kidney complaints, pimples on the face; to purify the blood, to prevent malarial disorders, to make new rich, red blood, to strengthen and invigorate; and as a treatment, remedy, and cure for the different diseases to which women and children are subject, when, in truth and in fact, it was not.

It was alleged in substance that the Indian Vegetable Tea was misbranded for the reason that certain statements borne on the labels of the packages falsely and fraudulently represented it as a treatment, remedy, and cure for sick and nervous headache and indigestion; to purge out all foul humors, to create new rich blood; and as a cure for all scaly eruptions of the skin, humor in